



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
27TH SESSION
WEDNESDAY, DECEMBER 10, 2014
10 A.M.

SPEAKER REGISTRATION

Persons wishing to testify on the morning calendar are requested to register by 10 a.m. as follows:

- a. On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- b. By faxing to 768-3826 your name, phone number and subject matter;
- c. By filling out the registration form in person; or
- d. By calling 768-3813.

Persons who have not registered to testify by 10 a.m. will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker shall not have anyone else read their statement and is limited to:

- a. three-minute presentation on New Business and Sunshined items;
- b. one-minute presentation on all other items.

WRITTEN TESTIMONY

Written testimony may be faxed to 768-3826 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

The Council will recess from 12 p.m. to 1:30 p.m.

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Accommodations are available upon request to persons with disabilities, please call 768-3813 or send an email to vchung@honolulu.gov at least three working days prior to the meeting.

The meeting is viewable by: (1) internet live streaming through http://olelo.granicus.com/MediaPlayer.php?publish_id=92; (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, a copy of the video may be requested by calling the City Clerk's Office at 768-5822.

Honorary Certificates will be presented at 9 a.m.

ORDER OF BUSINESS
Wednesday, December 10, 2014

PLEDGE OF ALLEGIANCE

MESSAGE OF ALOHA

1. CALL TO ORDER – 10 A.M.

Roll Call

Introduction of Guests

Approval of Minutes of the 26th Session

ORDER OF BUSINESS
Wednesday, December 10, 2014

2. ORDER OF THE DAY

APPOINTMENTS – RESOLUTIONS

PARKS AND CUSTOMER SERVICES

CR-315

Resolution 14-252, CD1

Relating to the appointment of Toni P. Robinson to serve on the Board of Parks and Recreation of the City and County of Honolulu.

ADOPTION

ORDER OF BUSINESS
Wednesday, December 10, 2014

PUBLIC HEARING

Resolution 14-283 (Public Safety and Economic
Development)

Relating to the reappointment of Eugene P. Soquena to serve on the Citizens Advisory Commission on Civil Defense of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

PUBLIC HEARING/ADOPTION

Resolution 14-281

Relating to the appointment of Allene R. Suemori to serve on the Ethics Commission of the City and County of Honolulu.

FOR ADOPTION

Resolution 14-282

Relating to the appointment of Victoria S. Marks to serve on the Ethics Commission of the City and County of Honolulu.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 10, 2014

THIRD READING

PUBLIC WORKS & SUSTAINABILITY

CR-329

Bill 61

Relating to maintenance of private streets and roads. (Permitting the City to maintain certain private streets and roads.)

PASS THIRD READING

ZONING AND PLANNING

CR-332

Bill 62, CD2

Relating to public pedestrian malls in the Downtown and Chinatown areas. (Prohibiting, subject to exceptions, persons from sitting or lying on public malls in the Downtown Honolulu and Chinatown areas.)

PASS THIRD READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, December 10, 2014

SECOND READING/PUBLIC HEARING

BUDGET

CR-324

Bill 65

Relating to public transit supportive services. (Improving the utility of the public transit system and the mobility of Honolulu residents by providing support and regulation to car-sharing organizations and bikeshare programs.)

PASS SECOND READING

ZONING AND PLANNING

CR-333

Bill 74

To rezone land situated at Moanalua, Oahu, Hawaii. (Rezoning land situated at One Ohana Nui Way from F-1 Military and Federal Preservation District to the R-5 Residential District. TMK: 1-1-002: 004 [portion] and 012.) (Applicant: Assets School) (Deadline: 2/3/15)

PASS SECOND READING

ORDER OF BUSINESS
Wednesday, December 10, 2014

FIRST READING

Bill 75 (Budget)

Relating to a Regional Park Fund. (Creating a Central Oahu Regional Park Fund.)

PASS FIRST READING

Bill 76 (Transportation)

Relating to public off-street parking. (Increasing the Palace Square metered parking fee, and parking time limit.)

PASS FIRST READING

Bill 77 (Budget)

Relating to the Real Property Tax Boards of Review. (Broadening the notice and publication requirements for the Real Property Tax Boards of Appeal.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, December 10, 2014

Bill 78

(Budget)

Relating to the Hanauma Bay Nature Preserve Fund. (Requiring that the interest earned on deposits into the Hanauma Bay Nature Preserve Fund be deposited in the Fund.)

PASS FIRST READING

Bill 79

(Budget)

Relating to affordable housing. (Establishing a program to facilitate the development of affordable housing projects.)

PASS FIRST READING

Bill 80

(Budget)

Relating to a Rental Housing Trust Fund. (Creating a special fund to be used to promote the development of affordable rental housing units for the people of the City and County of Honolulu.)

PASS FIRST READING

ORDER OF BUSINESS

Wednesday, December 10, 2014

Bill 81

(Zoning and Planning)

Relating to special improvement districts. (Allowing shoreline improvement, restoration, and protection projects to be provided and financed by a special improvement district.)

PASS FIRST READING

Bill 82

(Zoning and Planning)

Relating to the establishment of the Waikiki Beach Special Improvement District No. 3. [Establishing a Waikiki Beach special improvement district to provide for and finance supplemental services and improvements in and to Waikiki Beach as authorized by Chapter 36, Revised Ordinances of Honolulu 1990 (ROH).]

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, December 10, 2014

RESOLUTIONS

PARKS AND CUSTOMER SERVICES

CR-316

Resolution 14-254

Renaming Ewa Beach Park to Puuloa Beach Park.

FOR ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-317

Resolution 14-269

Supporting the recognition of a National Historic Site by the National Park Service for the former site of the Honouliuli Internment Camp.

FOR ADOPTION

CR-318

Resolution 14-284

To request additional funds for the services of Ayabe Chong Nishimoto Sia & Nakamura as Special Counsel to represent Defendant the City and County of Honolulu, in a legal action entitled: Officer Cassandra Bennett-Bagorio, et al. v. The City and County of Honolulu, et al., Civil No. CV13-00071 (KSC)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 10, 2014

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-319

Resolution 14-285

To request additional funds and increase the attorney fee rates for the services of Kobayashi, Sugita & Goda, LLP, Special Deputy Corporation Counsel in the civil action entitled Jennings Pacific, LLC vs. City and County of Honolulu, et al.; Civil No. 13-1-0518-02 KKS

FOR ADOPTION

BUDGET

CR-327

Resolution 14-276

Relating to the acceptance of a gift to the City from Hawaii Moving Forward.

FOR ADOPTION

Resolution 14-276, Proposed FD1 (Submitted by Chair Martin)

CR-325

Resolution 14-262

Relating to transfer of funds. (Department of Information Technology)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 10, 2014

BUDGET (Cont'd.)

CR-326

Resolution 14-271

Requesting the City to develop a procurement policy encouraging the use of small businesses, women-owned small businesses, small disadvantaged businesses, service-disabled veteran-owned small businesses, and hubzone certified businesses.

FOR ADOPTION

PUBLIC WORKS & SUSTAINABILITY

CR-330

Resolution 14-273

Urging the Hawaii State Department of Health to consider the input of all county Wastewater Advisory Committees before proceeding on proposed changes to Hawaii Administrative Rules Title 11, Chapter 62 relating to Wastewater Systems.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 10, 2014

ZONING AND PLANNING

CR-268

Resolution 14-198, CD1

Relating to the acceptance of gifts to the City for the 2014 Housing Summit.

FOR ADOPTION

CR-337

Resolution 14-272, CD1

Relating to the acceptance of a gift to the City from Haseko (Ewa), Inc.

FOR ADOPTION

CR-334

Resolution 14-109, CD1

Urging the Department of Planning and Permitting to promptly investigate and address public health and safety concerns arising from development activities at a subdivision located in Dowsett Highlands.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 10, 2014

ZONING AND PLANNING (Cont'd.)

CR-335

Resolution 14-200

Proposing an amendment to Chapter 21, Revised Ordinances of Honolulu 1990 (The Land Use Ordinance), as amended, relating to accessory dwelling units.

FOR ADOPTION

CR-336

Resolution 14-253

Proposing an amendment to the subdivision ordinance relating to the naming of City parks, sites and facilities.

FOR ADOPTION

CR-338

Resolution 14-277, CD1

Approving an extension of time to obtain a building permit for the redevelopment of approximately 4.153 acres with a mixed use retail, resort, and residential project in Waikiki, Oahu, under the Planned Development-Resort Conceptual Plan approval granted by Resolution No. 10-211, CD1, FD1. (Applicant: Kyo-ya Kaiulani, LLC) (Deadline: 8/18/16)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 10, 2014

ZONING AND PLANNING (Cont'd.)

CR-339

Resolution 14-278, CD1

Approving an extension of time to obtain a building permit for the redevelopment of approximately 3.14 acres with a hotel and residential project in Waikiki, Oahu, under the Planned Development-Resort Conceptual Plan approval granted by Resolution No. 10-212, CD1, FD1. (Applicant: Kyo-ya Hotels and Resorts, LP) (Deadline: 8/18/16)

FOR ADOPTION

CR-340

Resolution 14-279

Approving an extension of time to obtain a development permit for the replacement of the Moana Surfrider Diamond Head Tower with a new tower, including the construction of a new retaining wall, fill, swimming pool and deck, stairway, and lateral walkway, which may encroach up to 40 feet into the Shoreline Setback Area, under the Special Management Area Use Permit and Shoreline Setback Variance granted by Resolution No. 10-185, CD1. (Applicant: Kyo-ya Hotels and Resorts, LP) (Deadline: 7/14/16)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 10, 2014

INTERGOVERNMENTAL AFFAIRS AND HUMAN SERVICES

CR-349

Resolution 14-270

Accepting a gift to the City from Haikou City.

FOR ADOPTION

CR-341

Resolution 14-207

Authorizing the execution of an intergovernmental agreement between the Department of Transportation Services (DTS) of the City and County of Honolulu (City) and the State of Hawaii Department of Transportation (HDOT) for a Highway Safety Project Reimbursement Grant promoting pedestrian safety in the City and County of Honolulu.

FOR ADOPTION

CR-342

Resolution 14-208

Authorizing the execution of an intergovernmental agreement between the Department of Transportation Services (DTS) of the City and County of Honolulu (City) and the State of Hawaii Department of Transportation (HDOT) for a Highway Safety Project Reimbursement Grant promoting bicycle safety in the City and County of Honolulu.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 10, 2014

INTERGOVERNMENTAL AFFAIRS AND HUMAN SERVICES (Cont'd.)

CR-343

Resolution 14-209, CD1

Authorizing the Mayor or the Mayor's designee to enter into an intergovernmental agreement with the Hawai'i Employer-Union Health Benefits Trust Fund, State of Hawaii.

FOR ADOPTION

CR-344

Resolution 14-225

Authorizing the Director of the Department of Facility Maintenance of the City and County of Honolulu or the Director's designee to enter into a Memorandum of Agreement with the State Department of Transportation for reimbursement for participation in Hawaii Local Technical Assistance Program activities.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 10, 2014

INTERGOVERNMENTAL AFFAIRS AND HUMAN SERVICES (Cont'd.)

CR-345

Resolution 14-263

Authorizing the Director of Parks and Recreation or the Director's designee to enter into an intergovernmental agreement with the State of Hawaii Department of Human Services, Office of Youth Services, to acquire funding for project-based cultural programs and to accept and expend said funds.

FOR ADOPTION

CR-346

Resolution 14-264

Authorizing the Director of Parks and Recreation or the Director's designee to enter into an intergovernmental agreement with the State of Hawaii Department of Human Services, Office of Youth Services, to acquire funding for community-based life skills development services and to accept and expend said funds.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 10, 2014

INTERGOVERNMENTAL AFFAIRS AND HUMAN SERVICES (Cont'd.)

CR-347

Resolution 14-265

Authorizing the Director of Parks and Recreation or the Director's designee to enter into an intergovernmental agreement with the State of Hawaii Department of Human Services, Office of Youth Services, to acquire funding for community-based life skills development services and to accept and expend said funds.

FOR ADOPTION

CR-348

Resolution 14-267

Urging the Hawaii State Legislature to support a constitutional amendment to allow the counties to issue tax increment bonds.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 10, 2014

3. BALANCE OF COMMITTEE REPORTS

EMLACR-320 To request authorization to settle a case against the City and County of Honolulu entitled, COLES v EAGLE, ET AL., CIVIL NO. CV09-00167 (LEK/BMK).

EMLACR-321 To request authorization to settle a case against the City and County of Honolulu entitled, JONES v. CITY AND COUNTY OF HONOLULU, CIVIL NO. 13-1-0831-03 (KKS).

EMLACR-322 To request authorization to settle a case against the City and County of Honolulu entitled, PASSI v. CITY AND COUNTY OF HONOLULU, CIVIL NO. 12-1-1256-05 (RAN).

BCR-328 Real property tax compromises of \$8,271.73 for FY 2007-2008 to FY 2012-2013 on property located at 89-102 Farrington Highway; \$2,472 for FY 2013-2014 and \$2,287.20 for FY 2014-2015 on property located at 89-201 Lepeka Avenue. (D-786)

PWSCR-331 Deed conveying roadway Lot 13433, Grants of Sewer Easements 7119 (por.) and 7120; and Grant of Sidewalk Easement 7114 for public use in Ewa (Uluohia Subdivision, Phase 2). (D-764, D-772)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 10, 2014

4. UNFINISHED BUSINESS

5. NEW BUSINESS

Resolution 14-275

Relating to the acceptance of a gift to the City from Bank of Hawaii.

FOR ACTION

Resolution 14-268

Urging the State to enact public financing for all state and county election campaigns.

FOR ACTION

ORDER OF BUSINESS

Wednesday, December 10, 2014

Resolution 14-261

Relating to the acceptance of a gift to the City from the Waikiki Business Improvement District Association for updated maps of Waikiki to be installed along Kalakaua Avenue.

FOR ACTION

Resolution 14-287

Relating to the acceptance of a gift to the City from Kaiser Permanent Hawaii through the Kaiser Foundation Health Plan.

FOR ACTION

Resolution 14-287, Proposed FD1 (Submitted by Chair Martin)

Relating to the acceptance of a gift to the City from Kaiser Permanente Hawaii through the Kaiser Foundation Health Plan.

ORDER OF BUSINESS

Wednesday, December 10, 2014

6. COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

Pursuant to Council Rule 12A and the Hawaii Revised Statutes Section 92-4 and Section 92-5(a)(4), the Council will resolve itself into a Committee of the Whole to consult with its attorneys in executive session on questions and issues on matters pertaining to the Council's powers, duties, privileges, immunities and/or liabilities, and may resolve itself into a Committee of the Whole to consult with its attorneys on other claims and matters pertaining to the Council's powers, duties, privileges, immunities and/or liabilities.

7. ANNOUNCEMENTS

8. ADJOURNMENT